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**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**SUBDIVISION REVIEW BOARD**

*Promoting the wise use of land  
Helping build great communities*

<b>MEETING DATE</b> August 1, 2005	<b>CONTACT/PHONE</b> Brian Pedrotti 788-2788	<b>APPLICANT</b> People's Self Help Housing	<b>FILE NO.</b> CO 04-0606 SUB2004-00187
<b>SUBJECT</b> Request by People's Self Help Housing Corporation for a Tentative Parcel Map to subdivide an existing 1.05 acre parcel into 5 parcels of 8,276 to 11,325 square feet, each for the purpose of sale and/or development. The project will include five low and very low-income single-family residences. The project will result in the disturbance of the entire 1 acre parcel. The proposed project is within the Residential Single-Family land use category and is located on Alegre Avenue, approximately 300 feet south of Division Street in the community of Nipomo. The site is in the South County (Inland) planning area.			
<b>RECOMMENDED ACTION</b> Approve Tentative Parcel Map CO 04-0606 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> A Statutory Exemption was issued on May 16, 2005 pursuant to CEQA Guidelines Sec. 15280 for this project.			
<b>LAND USE CATEGORY</b> Residential Single-Family	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 092-551-026	<b>SUPERVISOR DISTRICT(S)</b> 4
<b>PLANNING AREA STANDARDS:</b> Sec. 22.112.020 & 22.112.080 – South County (Inland) Area Standards - Areawide and Nipomo Urban Area			
<b>LAND USE ORDINANCE STANDARDS:</b> Sec. 22.22.080 – Residential Single-Family Subdivision Design			
<b>EXISTING USES:</b> Undeveloped			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Single-Family / residences      East: Residential Single-Family / residences South: Residential Suburban / residences      West: Residential Single-Family / residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Group, Public Works, Environmental Health, County Parks, CDF, Nipomo Community Services District, APCD, Cal Trans, Lucia Mar	
TOPOGRAPHY: Nearly level	VEGETATION: Grasses, forbs
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF	ACCEPTANCE DATE: January 26, 2005

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 square foot parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street	6,000 square feet
Slope	Average slope is between 0 and 15 %	6,000 square feet
Water Supply and Sewage Disposal	Community Water Community Sewer	6,000 square feet

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

##### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

#### PLANNING AREA STANDARDS:

The project site is located within the Nipomo Urban Area. Planning Area Standards for Nipomo Urban area projects establish criteria for connecting to community sewer and provision of landscaped parkways. The proposed development satisfies all Planning Area Standards in that community sewer will be provided and improvements exist for the site.

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**ENVIRONMENTAL DETERMINATION:**

Pursuant to Sec. 15280 of the California Environmental Quality Act, the project has been granted a statutory exemption as a lower-income housing project. The project has been granted this exemption based on the criteria listed in this section, including its consistency with the General Plan and zoning, its proximity to developed uses, the size of the parcel, the availability of utilities, and the limited value of the property as wildlife habitat.

**COMMUNITY ADVISORY GROUP COMMENTS:** The Nipomo Community Advisory Council recommended support of the project.

**AGENCY REVIEW:**

Public Works – Recommend approval with conditions. Curb, gutter, and sidewalk to be repaired after heavy equipment use is complete. Soils engineer should witness and certify the work.

Environmental Health - Preliminary evidence of water and ability to serve by sewer. A final can and will-serve letter will be required prior to recordation of the final map.

County Parks – Payment of Quimby fees and applicable Building fees. Fees may be waived if homes will be for lower-income units.

CDF – See attached fire safety letter dated January 12, 2005.

**LEGAL LOT STATUS:**

The one existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

**FINDINGS - EXHIBIT A**

*CEQA Exemption*

- A. The project qualifies for a Statutory Exemption pursuant to CEQA Guidelines Section 15280 because the project is affordable to lower-income households, it is consistent with the General Plan and Land Use Ordinance, it is immediately contiguous to properties that are developed with urban uses, it is not more than two acres, it can be adequately served by utilities, it has limited value of the property as wildlife habitat, it will not involve the demolition of structures eligible for listing in the California Register of Historical Resources, and it is not included on any list of hazardous waste sites.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Single-Family land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support single-family residences.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of limited size and scope and is not located in close proximity to significant wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR CO 04-0606**

**Approved Project**

1. Request by People's Self Help Housing Corporation for a Tentative Parcel Map to subdivide an existing 1.05 acre parcel into 5 parcels of 0.19 to 0.26 acres, each for the purpose of sale and/or development. The project will include five low and very low-income single-family residences. The project will result in the disturbance of the entire 1 acre parcel.

**Affordable Housing Requirement**

2. The residential units located on all parcels shall be retained as affordable rental or ownership units for low and very low income households, pursuant to LUO Section 22.12.070. Prior to or concurrent with map recordation, the subdivider shall enter into a recorded agreement with the County to assure the provision of the affordable units. Said agreement shall be acceptable to County Counsel. Any exceptions allowed by LUO 22.12.070A(4) and/or LUO 22.12.070D(3) shall apply to ownership units at the time of sale of the unit.

**Access and Improvements**

3. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Improvement Plans**

4. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

**Drainage**

5. If the drainage calculations for Tract 607 did not include development of this property, submit complete drainage calculations to the Department of Public Works for review and approval that included the additional runoff from this new development. The existing basin shall be redesigned to handle the increase.

**Fire Protection**

6. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
7. **Prior to final map recordation**, the project shall comply with the Fire Safety Plan from CDF dated January 12, 2005.

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**Parks and Recreation (Quimby) Fees**

8. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

**Miscellaneous**

9. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer. a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

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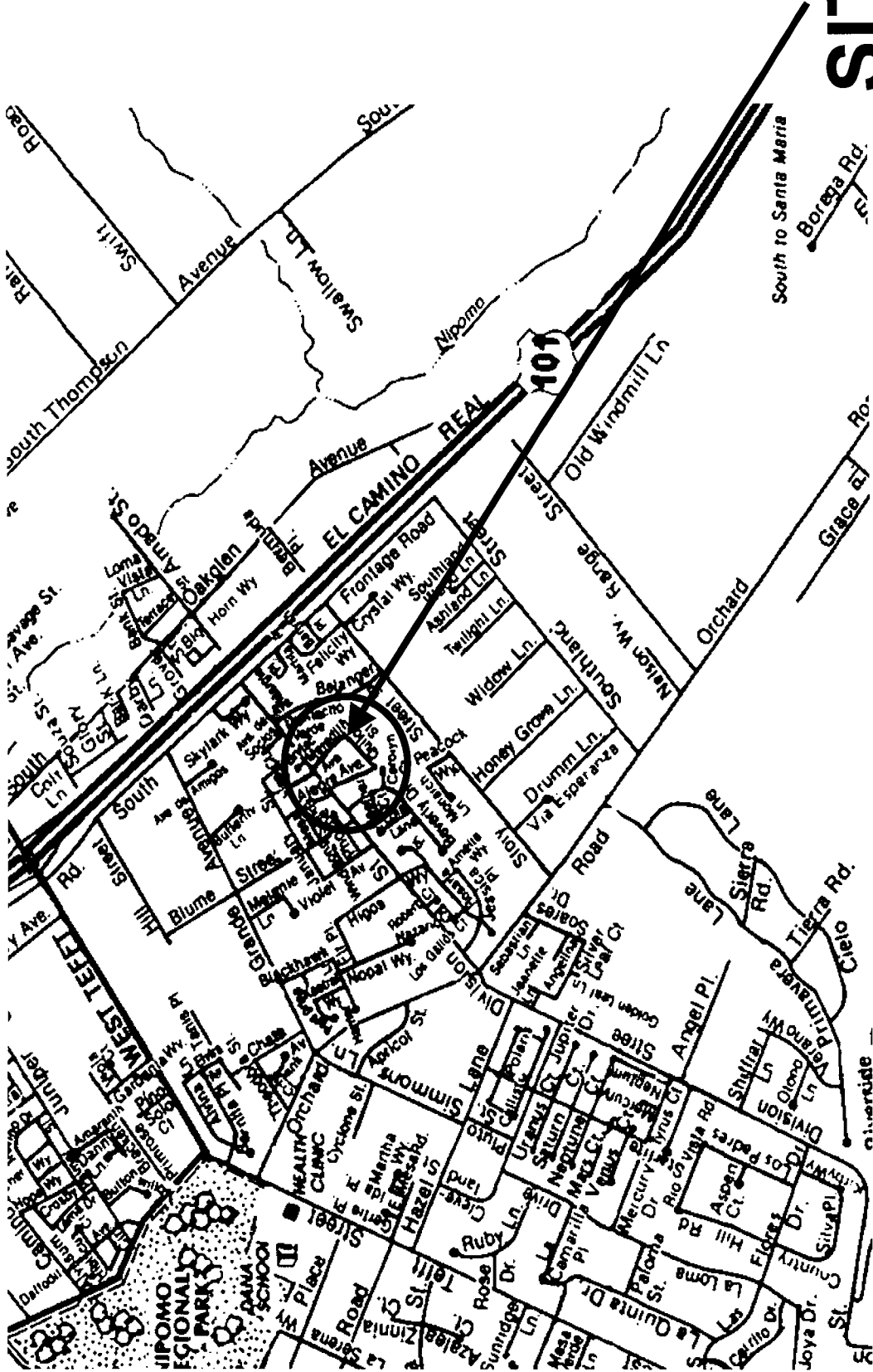
STANDARD CONDITIONS OF APPROVAL FOR  
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. Sewer service shall be obtained from the community sewage disposal system.
7. Prior to the filing of the map a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

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12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

Staff report prepared by Brian Pedrotti  
and reviewed by Kami Griffin



SITE

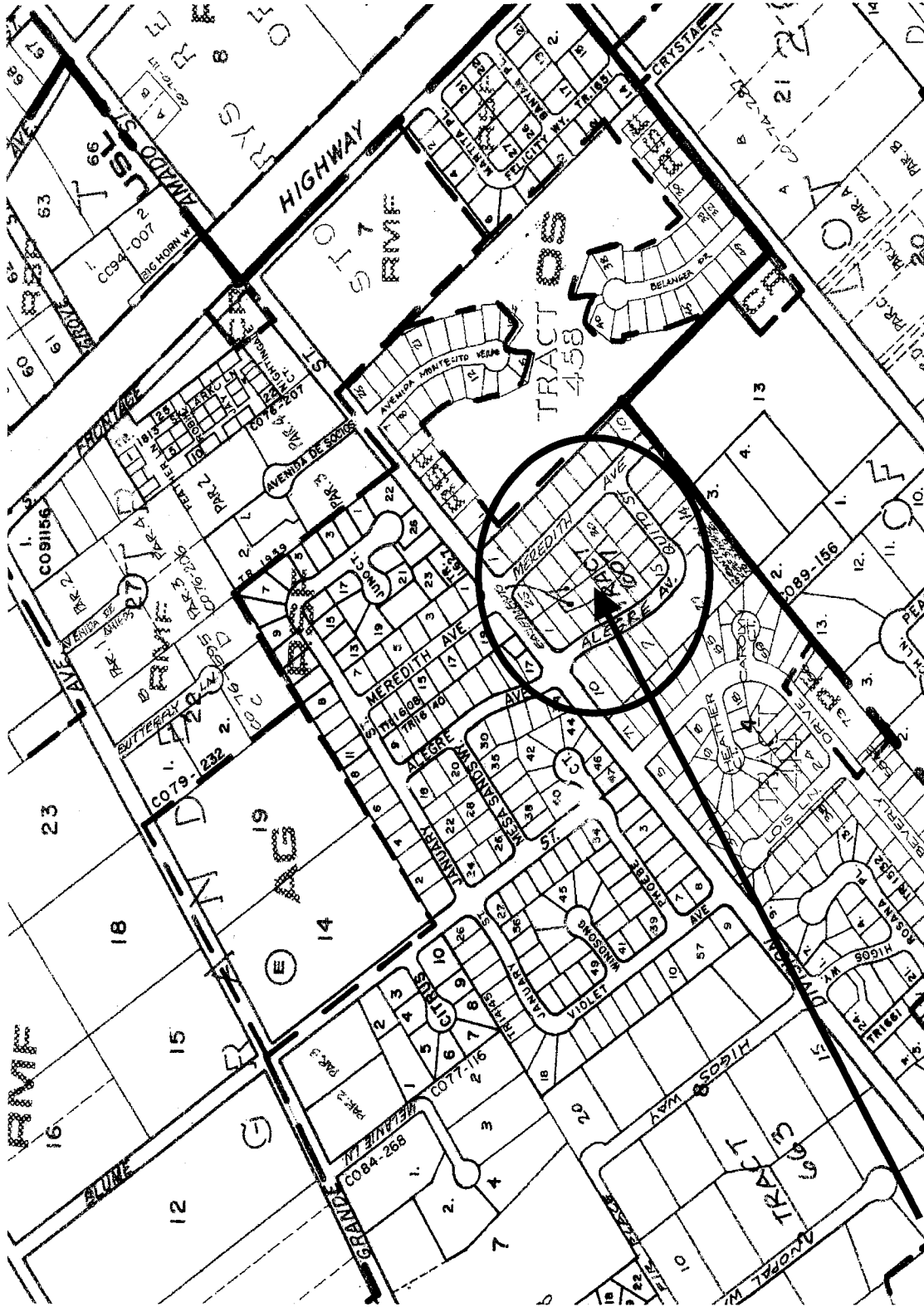
EXHIBIT

Vicinity Map



PROJECT

Parcel Map  
People's Self Help Housing SUB2004-00187

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T  
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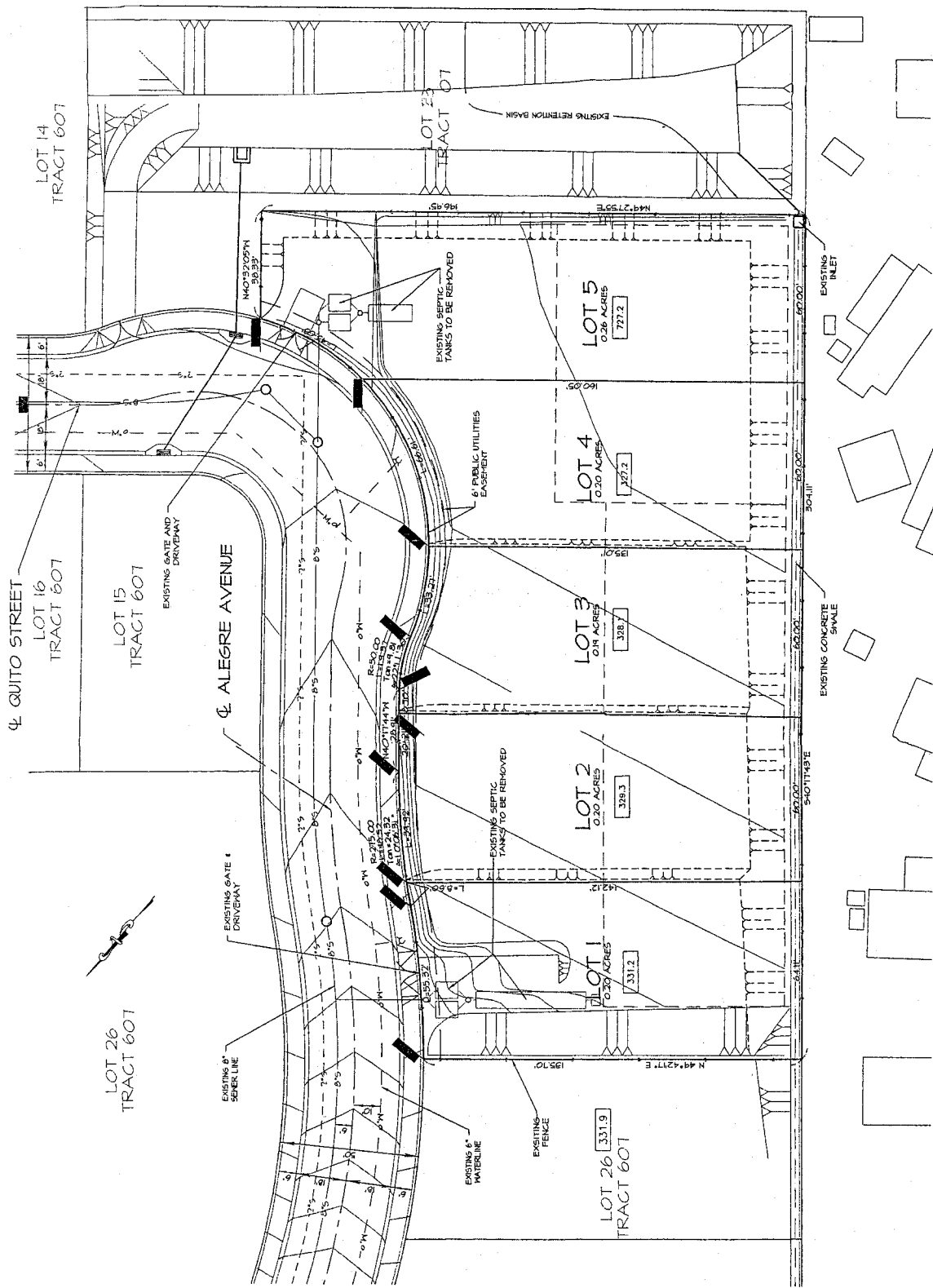
## PROJECT

Parcel Map  
People's Self Help Housing SUB2004-00187

**EXHIBIT**

Land Use Category

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PROJECT

EXHIBIT

Tentative Map



Parcel Map

People's Self Help Housing SUB2004-00187

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**Peoples' Self-Help Housing Corporation**

June 7, 2005

Brian Pedrotti, Planner III  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

RE: CASE NUMBER: SUB2004-00187  
PARCEL: 092,551,026

Dear Mr. Pedrotti:

Peoples' Self-Help Housing will develop affordable mutual self-help homes on the above parcel. The homes will be financed by USDA Rural Development which brings them in compliance with the San Luis Obispo County Land Use Ordinance as being affordable for thirty (30) years. All participants will be low and very low-income, per USDA Rural Development requirements.

USDA Rural Development is aware of the plans for this development and is ready to provide first mortgages to eligible participants. (Please see attached fax from James W. McIntire, Rural Development Manager.)

If you have any questions, please call Sheryl Flores at 783-4465.

Sincerely,

Jeanette Duncan  
Executive Director



3533 Empleo Street  
San Luis Obispo, California 93401  
TEL: (805) 781-3088  
FAX: (805) 544-1901  
E-mail: admin@pshhc.org  
www.pshhc.org

26 E. Victoria Street  
Santa Barbara, California 93101  
TEL: (805) 962-5152  
FAX: (805) 962-8152  
Email: sboffice@pshhc.org



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*Committed to the future of rural communities.*

**United States Department of Agriculture  
Rural Development  
California**

**[www.rurdev.usda.gov/ca](http://www.rurdev.usda.gov/ca)**

June 7, 2005

To: Deidre Collier, Project Manager II  
Peoples' Self-Help Housing Corporation  
3533 Empleo Street  
San Luis Obispo, CA 93401

From: James W. McIntire  
Rural Development Manager  
Santa Maria, CA

A handwritten signature in black ink that reads "James W. McIntire". The signature is written in a cursive style and is positioned to the right of the typed name.

Re: Montecito Verde III Development  
Nipomo, CA

Be advised that USDA supports your plans for this Nipomo development and intends to provide first mortgages to eligible low and very low-income participants. If you have any questions or need further assistance please call me.

920 E. Stowell Road. • Santa Maria, CA 93454  
Phone: (805) 928-9269 x 4 • Fax: (805) 928-9644 • TDD: (531) 792-5848

*Committed to the future of rural communities*

Rural Development is an Equal Opportunity Lender, Provider, and Employer. Complaints of discrimination should be sent to USDA, Director, Office of Civil Rights, Washington, D. C. 20250-9410

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# County of San Luis Obispo • Public Health Department



## Environmental Health Services

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

December 29, 2004

People's Self Help Housing  
3533 Empleo Street  
San Luis Obispo, CA 93401

ATTN: **SHERYL FLORES** SUB 2004-00187  
RE: **TENTATIVE PARCEL MAP CO 04-0606 (Peoples Self Help)**

### Water Supply and Wastewater Disposal

This office is in receipt of a preliminary intent to serve from the Nipomo Community Services District to provide water and sewer services to the above noted parcel map. Be advised a final can and will serve letter will be required prior to recordation of the final map. The improvements for water and sewer will be built or bonded for prior to final recordation.

**CO 04-0606** is approved for Health Agency subdivision map processing.

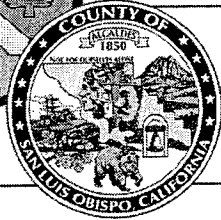
*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
Brian Pedrotti, County Planning  
NCSD

709

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## CDF/San Luis Obispo County Fire Department

RECEIVED

JAN 14 2005

SLO CO PLANNING & BLDG

635 N. Santa Rosa • San Luis Obispo • California 93405

January 12, 2005

County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: Parcel Map Project # People's Self Help Housing Corp./ SUB 2004-00187

Dear South County Team,

I have reviewed the referral for the parcel map plans for the proposed five parcel subdivision project located at Alegre Ave., Nipomo. This project is located approximately 6-8 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

### Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

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- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

### **Driveway**

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

### **Water Supply**

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

### **Fuel Modification**

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Gilbert R. Portillo  
Fire Inspector



ROP

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SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING  
GENERAL SERVICES

2004 DEC -7 PM 9:52

VICTOR HOLANDA, AICP  
2005 DIRECTOR

RECEIVED  
SLO CO PLANNING & BLDG

THIS IS A NEW PROJECT REFERRAL

DATE:

12/6/04

TO:

Parks

FROM:

South Co. Team

(Please direct response to the above)

People's Self Help  
Housing Corporation

SUB 2004-00187

Project Name and Number

Development Review Section (Phone:

788-2009

\*OR ASK THE SWITCH-  
BOARD FOR THE PLANNING

PROJECT DESCRIPTION:

Parcel map -> divide 1.05 acres  
into 5 SED lots of approximately .2 acres  
each. Located off Alegre Ave., Nipomo. APN.:  
092-551-026.

Return this letter with your comments attached no later than:

12/21/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Require payment of Quimby Fees and applicable  
Building Division fees.

\*WAVE FEES if homes will be to low affordability.

02/10/05  
Date

JAN Di Leo  
Name

X4089  
Phone



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12  
S<sup>AN</sup> LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

DEC - 7

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

12/6/04  
PW

FROM

FROM  
LO

South Co. Team  
(Please direct response to the above)

People's Self Help  
Housing Corporation  
SUB 2004-00187  
Project Name and Number

Development Review Section (Phone:

788-2009 )

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION:

Parcel map → divide 1.05 acres  
into 5 SFD lots of approximately .2 acres  
each. Located off Alegre Ave., Nipomo. APN.:  
092-551-026.

Return this letter with your comments attached no later than:

12/21/2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STOKES ATTACHED. C, G & SW to be repaired/replace  
AFTER HEAVY Equip USE IS COMPLETE. DAMAGE IS EXPECTED WHILE RECOMMENDATION  
IN SOILS REPORT ARE BEING IMPLEMENTED. A SOILS ENGINEER SHOULD WITNESS AND  
CERTIFY THE RECOMMEND WORK.

29 Dec 2004  
Date

GOODWIN  
Name

5252  
Phone